

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 16-00209-01-CR-W-RK
	)	
JAMES A. SCOTT,	)	
	)	
Defendant.	)	

**MEMORANDUM OF MATTERS DISCUSSED AND  
ACTION TAKEN AT PRETRIAL CONFERENCE**

**PENDING CHARGE:** On June 29, 2016, the Grand Jury returned a five-count indictment against Defendant James A. Scott. Count One charges Defendant Scott with possession with intent to distribute a controlled substance (marijuana). Count Two charges Defendant Scott with possession of a firearm in relation to a drug trafficking crime. Count Three charges Defendant Scott with possession with intent to distribute a controlled substance (methamphetamine). Count Four charges Defendant Scott with possession with intent to distribute a controlled substance (gamma-hydroxybutyrate (GHB)). Count Five charges Defendant Scott with possession of a firearm in relation to a drug trafficking crime.

The following matters were discussed and action taken during the pretrial conference:

**TRIAL COUNSEL:**

Government: Matthew Moeder  
Case Agent: Kevin Nightingale, Independence Police Department  
Defense: Carrie Allen

**OUTSTANDING MOTIONS:** No outstanding motions.

**TRIAL WITNESSES:**

Government: with stipulations; 15 without stipulations  
Defendant: no more than 3 witnesses, including the Defendant

**TRIAL EXHIBITS**

Government: approximately 30 exhibits  
Defendant: no more than 10 exhibits for Defendant

**DEFENSES:** General denial.

**POSSIBLE DISPOSITION:**

( ) Definitely for trial; ( ) Possibly for trial; (X) Likely a plea will be worked out

**TRIAL TIME: 2 1/2 days**

Government's case including jury selection: 2 days

Defense case: 1/2 day

**STIPULATIONS:** Anticipate stipulations as to chemistry, status as a felon, and interstate nexus.

**UNUSUAL QUESTIONS OF LAW:** none

**FILING DEADLINES:**

**Witness and Exhibit List**

Government: **Due on or before October 16, 2018**

Defense: **Due on or before October 16, 2018**

**Counsel are requested to list witnesses in alphabetical order on their witness list.**

**Exhibit Index, Voir Dire, Jury Instructions: Due by noon, Wednesday, October 24, 2018.**

**Please Note:** Jury instructions must comply with Local Rule 51.1

**Motion in Limine:** Parties do not anticipate any. **Motions in Limine, if any, are due on or before October 24, 2018.**

**TRIAL SETTING:** Criminal jury trial docket commencing October 29, 2018.

**Please note:** Parties are engaged in plea negotiations and believe they have an agreement. No plea date set. Counter-offer made and it appears that it might have approval. If it goes to trial Government requests second week. Defense counsel can do either week.

**IT IS SO ORDERED.**

/s/ Lajuana M. Counts

Lajuana M. Counts

United States Magistrate Judge